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April 30, 2021

**Via ECF**

Magistrate Judge Robert M. Levy  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: Singh, Devander v. Ronald Poles, Penske Truck Leasing  
Co., L.P., Penske Truck Leasing Corporation, Costco  
Wholesale Corporation, Costco Wholesale Membership, Inc.  
and Sahib Walia  
Civil Action No: 1:19-CV-1984-JBW-RML

Dear Magistrate Judge Levy:

This office represents Defendants, Ronald Poles and Costco Wholesale Corporation, in the above-matter. Please allow this letter to serve as Defendants' application to extend the current expert paper discovery deadline of May 3, 2021 to the expert discovery deadline of June 11, 2021.

Since the last conference, the parties have continued their efforts towards completing expert paper discovery. Earlier this week, opposing counsel exchanged a new disclosure for a treating physician. Additionally, Defendants were finally able to obtain plaintiff's most recent MRI films from the imaging facility. These films and plaintiff's latest disclosure will need to be reviewed by Defendants' medical experts before their reports can be finalized.

In addition, Defendants have retained rebuttal expert witnesses who are in the process of reviewing case materials. As for replacing Defendants' biomechanical expert who suffered a major stroke, there was unexpected difficulty finding a sufficiently qualified expert in the expedited period set by the

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Court. However, an anticipated expert was recently identified and Defendants anticipate formally retaining him shortly.

In light of the aforementioned, it is respectfully requested that the expert paper deadline be extended to June 11, 2021. Provided there are no further unanticipated delays, Defendants should be in a position to exchange their expert discovery by this date. Once these disclosures are made, we should be in a position to set a schedule for expert depositions.

Plaintiff does not object to this application as outlined herein. Both sides agree that the status conference currently scheduled for June 16, 2021, should remain on the calendar.

There have been three prior formal requests to extend discovery, which have been granted by Your Honor. Thank you for the opportunity to address the Court in this matter.

Very truly yours,

*Michael C. Lamendola*

Michael C. Lamendola

MCL: